

**REMARKS**

Claims 1-17 and 50-55 are pending in the application. Claims 18-49 have been cancelled. Claim 1 has been amended. Claims 50-55 have been added. Applicant gratefully acknowledges the allowance of claims 7-17.

Claims 1-6 stand rejected under 35 U.S.C. §102 as anticipated by U.S. Patent 5,654,565 to Hokari. The rejection is respectfully traversed.

Amended claim 1 recites a method of forming a CMOS imager comprising “forming at least one photosensor; and forming in-pixel and periphery capacitors further comprising the steps of: forming a first electrode layer over said substrate in a pixel region and a periphery region; forming a first dielectric layer over said first electrode layer; forming a second dielectric layer over said first dielectric layer; and forming a second electrode layer over said second dielectric layer.”

Hokari is directed to a charge coupled device having a filling film. Hokari is not directed to forming in-pixel and periphery capacitors in a CMOS imager as independent claim 1 recites. Hokari makes no mention of “forming in-pixel and periphery capacitors.” Further, Hokari does not even mention forming any capacitors, let alone both in-pixel and periphery capacitors. Accordingly, all of the limitations of independent claim 1 are not taught by Hokari. Applicant respectfully requests withdrawal of the rejection. For the above mentioned reasons, Applicant respectfully requests withdrawal of the rejection of depending claims 2-6.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

By 

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